

REMARKS

Claims 1-28 are pending in the application. Claims 1-28 were rejected. Claims 1-4, 8-13 and 15-26 have been amended. Claim 14 has been cancelled. Applicant respectfully requests reconsideration in light of the following remarks.

CLAIM REJECTIONS UNDER 35 USC §102

The final Office Action has rejected claims 23-24 and 26-28 under 35 USC 102 as being anticipated by *Keller* et al. (US Publication 2003/0050849A1).

As to claim 23, *Keller* discloses a system where a manufacturer or supplier communicates with various retail resellers but not a system where a store node is linked with an enterprise node that comprises data on all store nodes as claimed. *Keller* discloses: “A method that includes, (a) from a communication link, receiving items of data from suppliers with respect to products offered by the suppliers for sale to sellers of the products, different items of data being received in different formats, (b) expressing the different data items in a common format, and (c) storing the different data items as expressed in the common format in a single database table structure.” [from *Keller* Abstract].

Keller does not teach or suggest an enterprise node connected to the store node within a network, as stated in the preamble of claim 23 of the instant application. *Keller* is not concerned with transferring data from a store node to an enterprise node, depending upon certain

conditions, as in the instant application. *Keller* is concerned with linking manufacturers and retailers via webpages to a large database in order to improve the retail process. See *Keller*, paragraph 10: “[0010] FIG. 1 shows a system that provides manufacturers with Internet and web based software technology and business process solutions for their interactions with retailers. The system enables manufacturers to provide retailers with a quick and easy way to place orders electronically without the need for the retailer to acquire or implement EDI or other kinds of electronically-enabled transaction protocols.” From *Keller*, paragraph 11: “[0011] As described in more detail later, the system uses a meta database architecture that permits manufacturers to easily deliver and update the manufacturer's web site content and to replenish information from any existing enterprise resource planning (ERP) system.”

Keller employs a job scheduling tool [ref. 400 of Figure 8, paragraph 45:1-7] to send transaction log rows to a manufacturer. *Keller* does not teach “monitoring the availability of transaction log or raw business data at the store node” as in the instant application. The claimed invention requires a step of determining whether to process data at the store node or at the enterprise node. *Keller* does not do this.

Keller does not teach the step of “determining whether to process transaction log data based on relevant enterprise node conditions.” In fact, the data flow in *Keller* is *pre-determined* based on the type of data and no consideration is given to processing data based on any relevant conditions of an enterprise node. See *Keller*, paragraph 51: “Typically, non-transactional data flows in a single direction (manufacturer to server site), while transactional data (as discussed earlier) will be both to and from the manufacturer.”

Keller does not teach or suggest the step of “transforming the raw business data to transformed data at the enterprise node when any of the relevant enterprise node conditions is satisfied.” *Keller* simply places data in database tables; no attempt is made to determine if any enterprise node conditions have been satisfied.

In short, *Keller* does not teach or suggest any of the method steps of claim 23. For a reference to anticipate a claim, each element and limitation of the claim must be found in the reference. Hoover Group, Inc. v. Custom Metalcraft, Inc., 66 F.3d 299, 302 (Fed. Cir. 1995). Therefore, claim 23 is not anticipated by *Keller* and its rejection should be reversed.

Claim 24 is dependent on claim 23 and as such, is allowable over *Keller* for at least the same reasons that claim 23, the base claim of which it depends, is allowable.

Claim 26 is dependent on claim 23 and as such, is allowable for at least the same reasons that claim 23, the base claim of which it depends, is allowable.

Claim 27 is dependent on claim 23 and as such, is allowable for at least the same reasons that claim 23, the base claim of which it depends, is allowable.

Claim 28 is dependent on claim 23 and as such, is allowable for at least the same reasons that claim 23, the base claim of which it depends, is allowable.

CLAIM REJECTIONS UNDER 35 USC §103

The Office Action rejected claims 1-22, and 25 under 35 USC 103(a) as being unpatentable over *Keller* et al. in view of *Jani* et al. (US Publication 2005/0049974 A1).

As to claim 1, *Keller* does not teach the step of “determining a period of time when the raw business data is to be processed for conversion to transformed data;” or the steps of “determining whether to transform the data” or the steps of “converting” and “sending the raw business data.”

The Office Action at page 5 concedes that *Keller* does not teach “wherein the local processing conditions comprise a need for the transformed data in the store node and an availability of processing resources for processing in the store node during the period of time.” The Office Action states that *Jani* teaches this element missing from *Keller* and that it would have been obvious to combine the two teachings. Applicant respectfully disagrees. *Jani*’s “intermediary” as depicted in Fig. 7a is not similar to either the enterprise node which comprises data on all of the store nodes or one of the plurality of store nodes. *Jani*’s intermediary as described with respect to Fig. 7a, merely routes payment requests to whatever worker thread is available. *Jani*’s intermediary, unlike the enterprise node of the instant application, has no knowledge whatsoever of whether any local nodes need the transformed data, nor is it connected to the local nodes within the network; it is merely a message broker. It has the responsibility of routing payment requests and as part of its function it assigns a transaction identifier. This does not resemble any of the network elements of claim 1.

In particular, *Jani* does not teach or suggest the element of “determining at one of the plurality of store nodes whether to process the transaction log data in the store node based on relevant store node processing conditions, wherein the store node processing conditions comprise a need for the transformed data in the store node and an availability of processing resources for

processing in the store node during the period of time.” Therefore, claim 1 is not unpatentable over *Keller* in view of *Jani* and its rejection should be withdrawn.

Claims 2 – 17 are dependent upon claim 1 and are allowable for at least the same reasons that their parent claim is allowable.

As to claim 18, the Office Action concedes that *Keller* does not teach “and for determining whether to process the raw data in the first node based on local processing conditions, wherein the local processing conditions comprise one of a need for the transformed data in the first node and a demand for processing in the first node during the period of time.” The Office Action states that this missing element is taught by *Jani*. However, *Jani* relates to processing credit card transactions. It determines whether to process a payment depending on whether a worker thread is available. Claim 18 requires processing transaction log data at the store node if there is a demand for the data at the store node at a relevant time. *Jani* does not teach or suggest this limitation whether viewed alone or in combination with *Keller*. Claim 18 therefore contains allowable subject matter and its rejection should be withdrawn.

Claims 19, 20, and 21 are dependent upon system claim 18 are therefore allowable for at least the same reasons that their parent claim is allowable.

Claim 22 is a program product counterpart of claim 1 and is therefore allowable for at least the same reasons that its counterpart claim is allowable.

Claim 25 is dependent on claim 23 and is therefore allowable for at least the same reasons that its parent claim is allowable.

For the foregoing reasons, Applicant respectfully requests allowance of the pending

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claims.

Respectfully submitted,

A handwritten signature in black ink, reading "Michael J. Buchenhorner", written over a horizontal line.

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